

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) submitted on 1/07/08 was filed after the mailing date of the Notice of Allowance on 6/23/09.

### ***Allowable Subject Matter***

2. Claims 1, 3-6, 8-11, and 13-20 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 6, and 11 the prior art of record does not specifically disclose wherein said storing unit is further configured to store a second threshold value of a parameter indicative of communication environment of transmission path, at which the wireless apparatus can communicate with another wireless apparatus by said first modulation method, and when there is a connection request from another wireless apparatus that supports said first modulation method but not said second modulation method to the wireless apparatus, said parameter comparing unit compares said stored second threshold value of the parameter corresponding to said first modulation method with the parameter measured by said parameter measuring unit, and when it is determined by said parameter comparing unit that said measured parameter is lower than said stored second threshold value of the parameter, said channel allocation determining unit rejects allocation of a wireless channel to said another wireless apparatus that supports said first modulation method but not said second modulation method.

Claims 3-5, 8-10, and 13-20 are dependent on allowable independent claims 1, 6, and 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD CHAN whose telephone number is (571)272-0570. The examiner can normally be reached on Mon - Fri (9AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571)272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2618

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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